

AN ORDINANCE AS SUBSTITUTED BY

02-O-1297

COUNCILMEMBER CARLA SMITH

A SUBSTITUTED ORDINANCE TO AMEND SECTION 150-97 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO PROHIBIT A TRUCK OR BUS FROM IDLING FOR MORE THAN FIFTEEN (15) MINUTES ON ANY STREET OR PUBLIC PLACE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is mandated to promote the right of the people to clean air, pure water, freedom from excessive and unnecessary noise, and the natural, scenic, historic and aesthetic qualities of the environment; and

WHEREAS, thirteen counties in the metro Atlanta region are classified by the EPA as a "serious" non-attainment area for ground-level ozone; this area is comprised of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paudling, and Rockdale counties; and

WHEREAS, ground-level ozone is created from a recipe of nitrogen oxides (NO_x) and volatile organic compounds (VOCs), or hydrocarbons, cooked by sunlight and high outdoor temperatures; when combined with particulate matter (PM) and other pollutants, smog is formed; and

WHEREAS, in 1998 the City of Atlanta joined the State's Smog-Free Program now called the Clean Air Campaign; the City obtained platinum level recognition in 2001 as the highest level of achievement in the program; and

WHEREAS, recently Grant Park was named the fourth highest level of smog on a purple day in the metro area; and

WHEREAS, buses dropping off tourists in District 1 to attractions leave their buses running while tourists are out of the bus; and

WHEREAS, unnecessary idling wastes fuel and pollutes the air.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1:

That Section 150-97 be amended by adding the following:

- (c) *Time limit for idling.* No person shall stop or stand any truck or bus on any street or public place and idle for more than fifteen (15) minutes. A violation of this subsection shall, upon conviction, be punishable by a minimum fine of \$500. **This limitation shall not apply under the following conditions:**
- (1) **Emergency vehicles, utility company, construction and maintenance vehicles where the engines must run to perform needed work;**
 - (2) **Truck or bus is forced to remain motionless because of traffic conditions;**
 - (3) **Truck or bus is being used to supply heat or air conditioning necessary for passenger safety or comfort, and such truck or bus is being used for commercial passenger transportation or is a Transit Authority bus or school bus, in which idling shall be limited to a maximum of 25 minutes;**
 - (4) **If the ambient temperature is less than 32 degrees Fahrenheit, idling shall be limited to a maximum of 25 minutes; or**
 - (5) **Any vehicle, truck, bus, or transit authority bus in which the primary source of fuel is Natural Gas (CNG) or electricity shall be exempt from the idling limitations set forth in this ordinance.**

SECTION 2:

That all ordinances or parts or ordinances in conflict herewith are hereby repealed.